

REMARKS

Reconsideration and allowance of this application are respectfully requested. Claims 1-25 remain in this application and, as amended herein, are submitted for the Examiner's reconsideration.

In the Office Action, claims 1-4, 7-14, 17-18, 19-21, and 24-25 were rejected under 35 U.S.C. § 102(a) as being anticipated by Matsumoto (U.S. Patent Application Publication No. 2001/0044675). Applicants submit that the claims are patentably distinguishable over the relied on sections of Matsumoto.

Independent claims 1, and 9-11 have been amended to more clearly show the differences between the claimed features and the relied on art. No new matter has been added by these changes. Support for these changes is found at, e.g., Figs. 2-4 and 6 and pages 18, 22 and 26-28 of the specification.

As amended herein, claim 1 recites:

a main control unit operable to, in response to stored decision information indicating that an upgrade program is to be executed, control another of said plurality of central processing units to cause software read from a recording medium to be stored in a particular one of said plurality of storage units, said particular one of said plurality of storage units being selected by said main control unit, said another of said plurality of central processing units being associated with a portion of said plurality of storage units that includes said selected one of said plurality of storage units[.]

(Emphasis added.) The relied on sections of Matsumoto neither disclose nor suggest controlling another central processing unit to cause software read from a recording medium to be stored in a particular storage unit in response to stored decision information indicating that an upgrade program is to be executed.

Rather, such sections of Matsumoto merely describe starting a transfer program when a memory card is inserted into an input section. (See ¶ [0041].)

It follows, for at least the above reasons, that the relied on sections of Matsumoto do not disclose or suggest the combination defined in claim 1 and therefore do not anticipate the claim.

Independent claims 9-11 each call for features similar to those set out in the above excerpt of claim 1. Each of these claims is therefore patentably distinguishable over the relied on sections of Matsumoto for at least the reasons set out above regarding claim 1.

Claims 2-4 and 7-8 depend from claim 1, claims 12-14 and 17-18 depend from claim 9, and claims 19-21 and 24-25 depend from claim 10. Therefore, each of these claims is distinguishable over the relied on sections of Matsumoto at least for the same reasons as its parent claim.

Claims 5-6, 15-16, and 22-23 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Matsumoto in view of Namikawa (European Patent Application Publication No. EP 0 844 556). Applicants submit that the claims are patentably distinguishable over the relied on sections of the references.

Claims 5-6 depend from claim 1, claims 15-16 depend from claim 9, and claims 22-23 depend from claim 10. Therefore, each of the claims is distinguishable over the relied-on sections of Matsumoto for at least the same reasons.

The relied-on sections of Namikawa do not overcome the deficiencies of the relied-on sections of Matsumoto.

Accordingly, Applicants respectfully request the withdrawal of the rejections under 35 U.S.C. §§ 102(a) and 103(a).

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue. If, however, for any reason the Examiner does not believe that such action can be taken at this time, it is respectfully requested that the Examiner telephone applicants' attorney at (908) 654-5000 in order to overcome any additional objections which the Examiner might have.

If there are any additional charges in connection with this requested amendment, the Examiner is authorized to charge Deposit Account No. 12-1095 therefor.

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